

# Privacy Impact Assessment

For  
FOIA

Freedom of Information/Privacy Acts Office & Office of the Chief Information Officer  
Small Business Administration  
409 3<sup>rd</sup> Street, S.W.  
Washington, DC 20416

**Name of Project:** Freedom of Information Act (FOIA) Tracking System  
**Program Office:** Freedom of Information/Privacy Acts (FOI/PA) Office

**A. CONTACT INFORMATION**

**1. Who is the person completing this document?**

Lisa J. Babcock  
Chief, FOI/PA Office  
202-401-8203  
[lisa.babcock@sba.gov](mailto:lisa.babcock@sba.gov)

**2. Who is the system owner?**

Delorice P. Ford  
Agency Chief FOIA Officer  
FOI/PA Office  
202-205-8200  
[delorice.ford@sba.gov](mailto:delorice.ford@sba.gov)

**3. Who is the system manager for this system or application?**

Lisa J. Babcock  
Chief, FOI/PA Office  
202-401-8203  
[lisa.babcock@sba.gov](mailto:lisa.babcock@sba.gov)

**4. Who is the IT Security Manager who reviewed this document?**

David McCauley  
Chief Information Security Officer  
Office of the Chief Information Officer  
202-205-7103  
[david.mccauley@sba.gov](mailto:david.mccauley@sba.gov)

**5. Did the Chief FOI/PA review this document?**

Yes

Lisa J. Babcock  
Chief, FOI/PA Office  
202-401-8203  
[lisa.babcock@sba.gov](mailto:lisa.babcock@sba.gov)

**6. Did the Agency's Senior Official for Privacy review this document?**

Yes

Ethel Matthews  
Senior Advisor to the Chief Privacy Officer  
Office of the Chief Information Officer  
202-205-7173  
[ethel.matthews@sba.gov](mailto:ethel.matthews@sba.gov)

**7. Who is the Reviewing Official?**

Christine Liu  
Chief Information Officer/Chief Privacy Officer  
Office of the Chief Information Officer  
202-205-6708  
[christine.liu@sba.gov](mailto:christine.liu@sba.gov)

**B. SYSTEM APPLICATION/GENERAL INFORMATION**

**1. Does this system contain any information about individuals?**

Yes

**(a) Is this information identifiable to the individual?**

Yes, it is identifiable by an individual's last name.

**(b) Is the information about individual members of the public?**

Yes, members of the public who have submitted Freedom of Information/Privacy Acts (FOI/PA) inquiries.

**(c) Is the information about employees?**

Yes, but only if an SBA employee has submitted a FOI/PA inquiry.

**2. What is the purpose of the system/application?**

The system is accessed by all SBA FOIA Public Liaisons and FOIA Requester Service Center Representatives. It is used to record and track all FOI/PA inquiries submitted to SBA. The Agency uses this system to provide efficient and accurate customer service and to comply with DOJ and OMB reporting

requirements.

**3. What legal authority authorizes the purchase or development of this system/application?**

Records Management by Federal Agencies 44 U.S.C. § 3101 specifies the management of Federal records; The Small Business Act 15 U.S.S. § 634(b)(6), authorizes the establishment and operation of the Agency; The Freedom of Information Act 5 U.S.C. § 552 and the Privacy Act 5 U.S.C. § 552a establish the purpose, duties and role of the FOI/PA Office and E.O. 13392 Improving Agency Disclosure of Information mandates practices, compliance activities and reports that all Federal agencies must implement.

**C. DATA IN THE SYSTEM**

**1. Generally describe the type of information to be used in the system and what categories of individuals are covered in the system?**

Names, addresses, telephone numbers, email addresses of individuals who submit FOI/PA inquiries to SBA and a brief description of the inquiry.

**2. What are the sources of the information in the system?**

Any person acting in a personal or commercial capacity who submits a FOI/PA inquiry to SBA.

**b) What Federal agencies are providing data for use in the system?**

None

**(c) What State and local agencies are providing data for use in the system?**

None

**(d) From what other third party sources will data be collected?**

None

**(e) What information will be collected from the employee and the public?**

Name and if provided by employee or public: address, telephone number and mail address.

**3. Accuracy, Timeliness, and Reliability**

- (a) **How will data collected from sources other than SBA records be verified for accuracy?**

N/A

- (b) **How will data be checked for completeness?**

N/A

- (c) **Is the data current?**

An individual's information is updated in the Tracking System if they submit additional FOI/PA inquiries.

- (d) **Are the data elements described in detail and documented?**

Yes, the User's Manual for the FOIA Tracking System.

#### **D. ATTRIBUTES OF THE DATA**

1. **Is the use of the data both relevant and necessary to the purpose for which the system is being designed?**

Yes, the system contains set fields that only collect information which is sufficient to identify and track the course of each specific FOI/PA inquiry.

2. **Will the system derive new data or create previously unavailable data about an individual through aggregation from the information collected, and how will this be maintained and filed?**

No

3. **Will the new data be placed in the individual's record?**

No

4. **Can the system make determinations about employees/public that would not be possible without the new data?**

No

5. **How will the new data be verified for relevance and accuracy?**

N/A



6. **If the data is being consolidated, what controls are in place to protect the data from unauthorized access or use?**

N/A

7. **If processes are being consolidated, are the proper controls remaining in place to protect the data and prevent unauthorized access? Explain.**

N/A

8. **How will the data be retrieved? Does a personal identifier retrieve the data? If yes, explain and list the identifiers that will be used to retrieve information on the individual.**

Information can be retrieved by an individual's last name and/or the case number the system assigns.

9. **What kinds of reports can be produced on individuals? What will be the use of these reports? Who will have access to them?**

The FOI/PA Office has access to the entire system and can prepare reports by submitter's last name, SBA office code and type of request. This information is used to monitor all of the agency's FOI/PA activities and to prepare reports for DOJ and OMB. The system has firewalls in place, and the Public Liaisons and FOIA Requester Service Center Representatives can prepare reports only for their office under their office code.

10. **What opportunities do individuals have to decline to provide information (i.e., where providing information is voluntary) or to consent to particular uses of the information (other than required or authorized uses and how individuals can grant consent.)**

N/A

#### **E. MAINTENANCE AND ADMINISTRATIVE CONTROLS**

1. **If the system is operated in more than one site, how will consistent use of the system and data be maintained in all sites?**

The system operates on one site only.

2. **What are the retention periods of data in this system?**

Records in the system are retained in accordance with NARA General Records Schedules 14 and 21 and SBA's Privacy Act System of Records 14, Freedom of Information and Privacy Act Case Files.

- 3. What are the procedures for disposition of the data at the end of the retention period? How long will the reports produced be kept? Where are the procedures documented?**

The FOI/PA Office eliminates cases in the system in accordance with the NARA Retention Schedules as described in the system's user's manual. Reports are maintained indefinitely.

- 4. Is the system using technologies in ways that the SBA has not previously employed (e.g., monitoring software, Smart Cards, Caller-ID)?**

No

- 5. How does the use of this technology affect public/employee privacy?**

N/A

- 6. Will this system provide the capability to identify, locate, and monitor individuals? If yes, explain.**

No.

- 7. What kinds of information are collected as a function of the monitoring of individuals?**

The FOIA Tracking System does not use technology to monitor individuals.

- 8. What controls will be used to prevent unauthorized monitoring?**

Only SBA employees who have been granted access to the system via an issued user-id and password can access information pertaining to solely to their office and office code.

- 9. Under which Privacy Act systems of records notice does the system operate? Provide number and name.**

SBA Privacy Act System of Records 14, Freedom of Information/Privacy Act Records.

- 10. If the system is being modified, will the Privacy Act system of records notice require amendment or revision? Explain.**

No, the system will not require any substantive modifications and the Privacy Act System of Records already accounts for the existence and use of the FOIA Tracking System.



## **F. ACCESS TO DATA**

- 1. Who will have access to the data in the system? (E.g., contractors, users, managers, system administrators, developers, tribes, other)**

The Agency's FOIA Public Liaisons and FOIA Service Center Representatives and employees and contractors with a need-to-know within the Office of the Chief Information Officer that oversee the system.

- 2. How is access to the data by a user determined? Are criteria, procedures, controls, and responsibilities regarding access documented?**

Access is limited to SBA employees designated as either a FOIA Public Liaisons or a FOIA Service Center Representatives. The designated employees submit an access request to SBA's security team who then submits the request to the FOI/PA Office for approval. Once approved employees can only access the system with their user name, identification and password. The system locks after three failed access attempts.

Criteria, procedures, controls and responsibilities are available from the system's user's manual and the online training provided from SBA's internal home page, "Yespage".

- 3. Will users have access to all data on the system or will the user's access be restricted? Explain.**

The FOI/PA Office has access to the entire system. All other users can only access information for their specific office codes.

- 4. What controls are in place to prevent the misuse (e.g., unauthorized browsing) of data by those having access? (Please list processes and training materials)**

The System has two levels of security. Security roles and access have been designed and assigned based on the roles of the user community. This is detailed in the user's manual and training video, both of which are available from SBA's Yespage.

- 5. Are contractors involved with the design and development of the system and will they be involved with the maintenance of the system? If yes, are Privacy Act contract clauses inserted in their contracts and other regulatory measures addressed?**

Yes, Privacy Act contract clauses are inserted in their contracts.

- 6. Do other systems share data or have access to the data in the system? If yes, explain.**

No



- 7. Who will be responsible for protecting the privacy rights of the public and employees affected by the interface?**

N/A

- 8. Will other agencies share data or have access to the data in this system (Federal, State, Local, other)?**

No

- 9. How will the data be used by the other agency?**

N/A

- 10. Who is responsible for assuring proper use of the data?**

The FOI/PA Office, OCIO and all designated users.

## **G. PRIVACY IMPACT ANALYSIS**

- 1. Discuss what privacy risks were identified and how they were mitigated for types of information collected.**

Since these are Privacy Act records, access is limited to SBA employees who are designated as a FOIA Public Liaison or a FOIA Service Center Representative. Privacy risks are minimized since access to the system is obtained through a two-step approval system shared with SBA's IT Security office and the FOI/PA Office.


- 2. Describe any types of controls that may be in place to ensure that information is used as intended.**

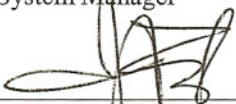
The system contains set fields that only collect information which is sufficient to identify and track the course of each specific FOI/PA inquiry. Controls are in place that do not allow the system to derive new data or create data about an individual. The security and disciplinary provisions of the Privacy Act are applicable.

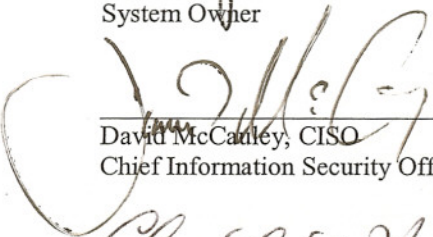
- 3. Discuss what privacy risks were identified and how they were mitigated for information shared internal and external?**

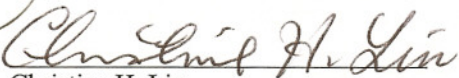
The system operates on one site only and cannot identify, locate or monitor individuals. It does not use tracking technology to monitor individuals. The system cannot identify, locate, or monitor individuals. It can retrieve information by name, however, only that information that is already in the system, and only by those who


The following Officials have approved this document:

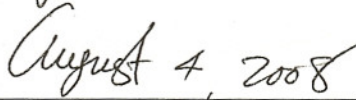
  
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Lisa Babcock  
System Manager

  
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Delorice Ford  
System Owner

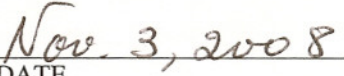
  
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David McCadley, CISO  
Chief Information Security Officer

  
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Christine H. Liu,  
Chief Information Officer/Chief Privacy Officer

  
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